

APR 25 2008 11:00 AM

SANFORD J. YOUNG P.C. 212/324151

NO. 1851

L.02

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: APR 28 2008

TZ MANOR, LLC.; PONDVIEW CORP.; and PARKFIELD PROPERTIES (as assignee of EXCHANGE AUTHORITY LLP, Trustee of the Almeida Parkfield Exchange Trust), as Tenants in Common,

STIPULATION + Order

08 CV 03293 (PAC)

*Plaintiffs,*

-against-

RICHARD F. DAINES, M.D., Commissioner of the New York State Department of Health; ROBERT P. DOUGHERTY, Director of the New York State Department of Health, Division of Home and Community Based Care; JUDITH R. MOONEY, Co-Director of the New York State Department of Health, Division of Home and Community Based Care; MARYBETH FADER, Director, ACF CON Certification Unit of the New York State Department of Health, Division of Home and Community Based Care; KEVIN MAHON, Commissioner of the New York State Department of Social Services; ALAN J. LAWITZ, ESQ., Associate Attorney, Bureau of House Counsel, New York State Department of Health and THE LONG HILL ALLIANCE COMPANY, INC.,

*Defendants.*

Whereas Plaintiffs TZ Manor, LLC, Pondview Corp., and Parkfield Properties (as assignee of Exchange Authority LLP, Trustee of the Almeida Parkfield Exchange Trust), as Tenants in Common filed this action on or about April 2, 2008 and served the Summons and Complaint on Defendant Richard F. Daines, M.D., Commissioner of the New York State Department of Health on or about April 8, 2008.

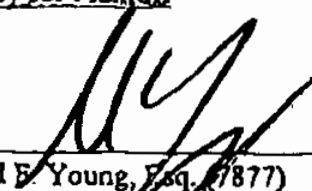
IT IS HEREBY STIPULATED AND AGREED by and between the undersigned:

(i) the time for Defendant Daines to answer, move, or otherwise respond to the Complaint will be extended until June 12, 2008; and (ii) in the event Defendant seeks to move to dismiss the Complaint, the parties will make a joint application to permit Plaintiffs forty-five (45) days to respond to such a motion.

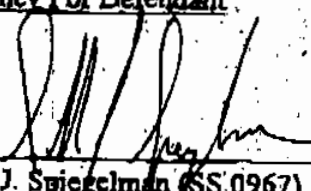
AND IT IS FURTHER STIPULATED AND AGREED as follows: This Stipulation may be executed in any number of counterparts, all of which taken together shall constitute one Stipulation, and may be executed by facsimile signature.

Dated: New York, New York  
April 25, 2008

LAW OFFICES OF SANFORD F. YOUNG,  
P.C.,  
Attorney for Plaintiff

By:   
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SO ORDERED:

 4/29/08  
United States District Judge



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO  
Attorney General

LESLIE G. LEACH  
Executive Deputy Attorney General  
Division of State Counsel

JUNE DUFFY  
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(212) 416-8558  
April 25, 2008

**BY FACSIMILE**

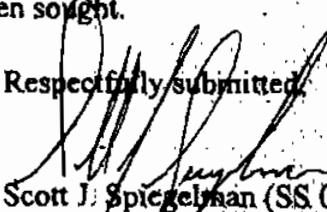
Honorable Paul A. Crotty  
United States District Judge  
Southern District of New York  
500 Pearl Street, Chambers 735  
New York, NY 10007

Re: TZ Manor, LLC v. Daines (08 CV 03293) (PAC)

Dear Judge Crotty:

This office represents defendant Richard F. Daines, M.D., Commissioner of the New York State Department of Health in the above-mentioned action. Please find attached a stipulation seeking to extend the defendant's time to answer, move or otherwise respond to the Complaint from April 28 to June 12, 2008, which we respectfully request the Court to "so order." No previous requests for extensions of time have been sought.

Respectfully submitted,

  
Scott J. Spiegelman (SS 0967)  
Assistant Attorney General

Encl.

cc: Sanford F. Young, Esq. (by facsimile)